**IN THE HIGH COURT OF UTTARANCHAL**
**AT NAINITAL.**
**ORIGINAL JURISDICTION**

Dated: Nainital: the 10th day of March 2004

Bail Application No. 206 **of 2004**
**Order on the bail application of the accused.**

**CRIMINAL SIDE**

Bablu Gupta S/o Sri Omprakash
R/o Nai Basti Rajpura
Haldwani (Nainital) … Applicant

Versus

State of Uttaranchal and others …Opposite Party

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Arising out of case crime no. 5759 of 2003
Under Sections 363-A, 366, 376, 506, 354 I.P.C.
P.S. Haldwani
District Nainital

**By the court**

**Hon'ble M.M. Ghildiyal J.**

Heard learned counsel for the applicant and learned A.G.A.

Perused the F.I.R. According to the F.I.R. the prosecutrix was kidnapped by the applicant on 10.12.2003. The F.I.R. was lodged 16.12.2003, i.e. about six days after the incident. The arrest memo in the case that the prosecutrix was recovered at Haldwani (bus stand) whereas in the statement of the prosecutrix under section 164 has submitted that she was recovered from Barily. There is a contradiction in the arrest memo and in the statement of prosecutrix. The charge sheet has been filed. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant Bablu Gupta be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

**(M.M. Ghildiyal, J.)**

10.03.2004
ASWAL